

CORRECTED AND REPUBLISHED MARCH 22, 2012

ORDINANCE NO. 49-189

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY SECTION 28.04.010, AS AMENDED.

**BE IT ORDAINED BY THE GOVERNING BODY
OF THE CITY OF WICHITA, KANSAS.**

SECTION 1. That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held as provided by law and under authority and subject to the provisions of The Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. ZON2011-00035

Zone change request from SF-5 Single-family Residential ("SF-5") to GC General Commercial ("GC"), and a PO Protective Overlay on properties described as:

The North half of the Southeast Quarter of the Southeast Quarter of Section 29, Township 26 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas, EXCEPT highway and EXCEPT a tract beginning at the West line of highway 81 and intersection of North line of Southeast Quarter of the Southeast Quarter, thence West to canal, thence Southwest to a point 401.9 feet South of the North half of the Southeast Quarter of the Southeast Quarter; thence East to highway; thence North to beginning; generally located south of I-235 and west of Broadway Street.

SUBJECT TO THE FOLLOWING PROVISIONS OF PROTECTIVE OVERLAY DISTRICT #261:

1. Permitted uses are those permitted by right in the SF-5 Single-family Residential ("SF-5") zone district plus "nurseries and garden centers," as allowed in the GC General Commercial ("GC").
2. The applicant will need to designate access to the subject site without crossing SF-5 zoned property before any building permits are to be issued (excluding sign permits).

SECTION 2. That upon the taking effect of this Ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita-Sedgwick County Unified Zoning Code as amended.

SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

ADOPTED this 24th day of January, 2012.

ATTEST:

Karen Sublett, City Clerk

Carl Brewer, Mayor

(SEAL)

Approved as to form:

Gary E. Rebenstorf, Director of Law